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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Michael Edward Swartwood,

10 Plaintiff,

11 v.

12 Trans Union LLC,

13 Defendant.
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No. CV-24-02055-PHX-DWL

ORDER

15 This is a civil action that was removed from state court. (Doc. 1.) On November
16 26, 2024, the parties filed a notice of settlement. (Doc. 14.) That same day, the Court
17 issued an order requiring the parties to file a stipulation of dismissal within 60 days and
18 warned that the action would be dismissed with prejudice on January 30, 2025 if no
19 stipulation or joint status report was filed. (Doc. 15.) On February 12, 2025, after the
20 parties failed to heed those deadlines, the Court issued an order requiring defense counsel
21 to “either show cause no later than February 25, 2025 why this matter should not be
22 dismissed with prejudice or file a Stipulation to Dismiss with Prejudice or Joint Status
23 Report no later than February 25, 2025.” (Doc. 18.) Although defense counsel did not
24 comply with that deadline, defense counsel filed a belated response on March 13, 2025
25 requesting that “the Court dismiss this action with prejudice and grant such other and
26 further relief as the Court deems appropriate.” (Doc. 19.) Accordingly, on April 15, 2025,
27 Magistrate Judge Willett issued a report and recommendation (“R&R”) recommending that
28 “the District Judge dismiss Plaintiff’s Complaint with prejudice, each party to bear his/its

own attorneys' fees and costs." (Doc. 20.) The R&R further provided that "[t]he parties shall have fourteen days from the date of service of a copy of this Report and Recommendation within which to file specific written objections with the Court. . . . Failure to file timely objections to the Magistrate Judge's Report and Recommendation may result in the acceptance of the Report and Recommendation by the District Court without further review." (*Id.*)

Here, no such objections have been filed and the 14-day deadline has expired. Thus, the Court accepts the R&R's recommendation. *See, e.g., Thomas v. Arn*, 474 U.S. 140, 149-50 (1985) ("It does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings."); *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) ("[N]o review is required of a magistrate judge's report and recommendation unless objections are filed."). *See also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) ("[T]he district judge must review the magistrate judge's findings and recommendations *de novo if objection is made*, but not otherwise.").

Accordingly,

IT IS ORDERED that:

1. The R&R (Doc. 20) is **adopted**.
2. Plaintiff's complaint is dismissed with prejudice, each party to bear its own attorneys' fees and costs.
3. The Clerk shall enter judgment accordingly and terminate this action.

Dated this 6th day of May, 2025.



 Dominic W. Lanza
 United States District Judge